

**CITY OF LODI  
INFORMAL INFORMATIONAL MEETING  
"SHIRTSLEEVE" SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, JUNE 10, 2003**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, June 10, 2003, commencing at 7:01 a.m.

**A. ROLL CALL**

Present: Council Members – Hansen, Howard, Land, and Mayor Hitchcock

Absent: Council Members – Beckman

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

**B. CITY COUNCIL CALENDAR UPDATE**

City Clerk Blackston reviewed the weekly calendar (filed).

**C. TOPIC(S)**

C-1 "Discussion on the regulation of State Department of Alcoholic Beverage Control licenses within Lodi"

Community Development Director Bartlam recalled that in 1998 the Council enacted an ordinance that required a use permit approval in order to gain the ability to receive a license from the State Department of Alcoholic Beverage Control. The use permit process allows the City to approve, deny, and condition an application, as well as to take the license ability away. Applicants have the right to appeal the decision. Since 1998 there have been five off-sale licenses approved by the Planning Commission.

In reply to Mayor Hitchcock, Mr. Bartlam explained that the state's guideline is one license per 2,500 people, determined according to census tract information. He reported that Lodi has 54 licenses, which is more than twice the number that the state would determine is necessary for a city with a population of 60,000.

J.D. Hightower, City Planner, reported that the largest generators of calls for alcohol- and drug-related incidences are small convenience markets and gas stations. He noted that the Departments of Community Development and Police have been participating in a tracking program developed by the University of Berkeley.

In response to Council Member Land, Mr. Bartlam acknowledged that the older part of Lodi has the largest number of licenses, to which he attributed to the way development took place over time. He stated that staff has not been recommending that new licenses be issued to applicants and instead suggest that they look into transferring an existing license from within Lodi. He explained, however, that it is difficult for staff to be effective without a clear understanding of the Council's position on the matter.

In answer to questions posed by Mayor Hitchcock, Mr. Bartlam suggested that Council may wish to consider setting a cap at the current number or allowing additional licenses only as the population grows. He reported that an application had recently been received to establish a new license for a proposed gas station and convenience store at the corner of Stockton Street and Harney Lane. According to census tract information in that area, there are fewer licenses than the Department of Alcoholic Beverage Control's guideline; however, he believed that a citywide focus should be made because there is a distribution issue to be considered as well. He noted that if applicants are told they must obtain an existing license, the current licenses will become more valuable and perhaps it will entice some business owners to sell them.

Mayor Pro Tempore Howard did not believe it would be a detriment if a liquor license was not granted to a proposed business near Highway 12 and Lower Sacramento Road because liquor is sold within a reasonable distance from that area from existing businesses.

In answer to Council Member Hansen, Mr. Bartlam estimated that the population has increased 1,000 to 1,500 in the past five years.

Council Member Hansen replied that according to the population increase, if licenses were based on growth, approximately every two to three years a new license could be authorized. He pointed out the difficulty in setting a cap because unique situations arise, such as the proposed business at Stockton Street and Harney Lane or the San Miguel Market. In addition, it would conflict with a pro-business stance and recognition of the need for businesses to compete to be successful.

Mayor Hitchcock asked what the rationale was for staff's position on this issue and whether there have been law enforcement problems.

Mr. Bartlam explained that the State Department of Alcoholic Beverage Control found after the riots that occurred in Los Angeles following the Rodney King trial, that the over concentration of alcohol outlets in east Los Angeles and south Central Los Angeles contributed to the outbreak of the activity.

Police Captain Main reported that convenience stores attract large congregations of people and when there is drinking involved it often leads to problems. Police Officers spend a lot of time patrolling these businesses, and when calls are made, it requires two to three units to respond because of the number of people at the location.

**PUBLIC COMMENTS:**

- Ranj Aulakh stated that he applied for a use permit to obtain a beer and wine liquor license for a proposed gas station at Stockton Street and Harney Lane. He explained that in the convenience store market beer and wine sales are a vital part of the business and it impacts the sale of other items such as snack foods. He stated that, according to census tract information, the area is under concentrated for liquor licenses and for this reason he believed that the business would be serving public necessity and convenience to the growing area. He stated that the only way they could invest money to develop the site is if they were certain that they would be able to get a beer and wine license, because without it, it would cut their revenue by at least 30%.
- Eva Wishek and Larry Fortes stated that they are considering opening a family restaurant and brew pub in the old Woolworth building downtown and will need an on-site license.

Mr. Bartlam commented that staff has supported on-sale licenses that are associated with a bonafide restaurant.

In reply to Mayor Hitchcock, Mr. Bartlam explained that the only way to revoke liquor licenses that were issued to Lodi businesses prior to 1998 would be through the State Department of Alcoholic Beverage Control, which is only done under extreme circumstances.

Council Member Hansen suggested that staff return to Council with policy options related to this matter.

**D. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS**

None.

*Continued June 10, 2003*

**E. ADJOURNMENT**

No action was taken by the City Council. The meeting was adjourned at 8:13 a.m.

ATTEST:

Susan J. Blackston  
City Clerk